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California Department of Corrections and
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. 94-cv-02307 CW

**DECLARATION OF E. SOLANO IN
SUPPORT OF DEFENDANTS' SUR-
REPLY TO PLAINTIFFS' MOTION FOR
A PERMANENT INJUNCTION AT
SEVEN PRISONS AND STATEWIDE**

I, E. Solano, declare:

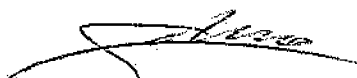
1. I have been employed with the California Department of Corrections and Rehabilitation (CDCR) since December 30, 2013. I am a Correctional Officer with the Investigative Services Unit (ISU) at the California State Prison, Los Angeles County (LAC), a position that I have held since June 17, 2019. I am competent to testify to the matters set forth in this declaration and, if called upon by this Court, I could and would so testify. I submit this declaration in support of Defendants' Sur-Reply to Plaintiffs' Motion for an Injunction at Seven Prisons and Statewide.

1 2. On the morning of April 15, 2020, a request was made via the institutional radio for
2 ISU to respond to Facility C. I responded and, upon my arrival, I was informed that inmate [REDACTED]
3 [REDACTED] committed a battery with a weapon on another inmate, who had been
4 transported to the medical clinic.

5 3. I began taking a series of digital photographs for documentary purposes. I went to the
6 medical clinic and took photographs of the victim. I then returned to Facility C to photograph
7 inmate [REDACTED] I then photographed [REDACTED] cell, which was solely assigned to [REDACTED] I observed
8 that all of [REDACTED] property was already packed. Based on my training and experience as an ISU
9 Officer, the fact that [REDACTED] packed his personal property and prepared it to be inventoried before
10 he committed the battery indicates that the battery was premeditated and that [REDACTED] objective in
11 committing the battery was to be relocated to another facility. Later that day, I retrieved evidence
12 bags related to this incident and began processing the evidence. I photographed an inmate-
13 manufactured weapon that measured approximately eight inches in length and was made from a
14 type of flat metal. The weapon was sharpened to a point on one end and had a handle made out
15 of white cloth and clear tape around the other end to form a handle.

16 4. I completed an incident report documenting my involvement in this incident the
17 following day, April 16, 2020. Attached to this declaration as **Exhibit A** is a true and correct
18 copy of my report, which identifies the photographs that I took on April 15, 2020. This report
19 accurately describes my involvement in the incident, and I incorporate the contents of this report
20 into this declaration by reference. Attached as **Exhibit B** is a true and correct copy of one of the
21 photographs that I took of the inmate-manufactured weapon involved in this incident.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed on
23 November 10, 2020, in Lancaster, California.

24 

25 E. Solano, Correctional Officer
26 California State Prison, Los Angeles County
27 California Department of Corrections and Rehabilitation
28

EXHIBIT A

CDCR

INCIDENT REPORT PACKAGE

PAGE: 18

REPORT NO. [REDACTED]

INCIDENT LOG NUMBER: [REDACTED]

PROCESSED: 09/23/2020 10:00

REQUESTOR: A. Lugo

STAFF NARRATIVE

STAFF NAME: Solano, E [REDACTED]

NARRATIVE TYPE: Initial Report

CREATED DATE: 04/16/2020

CREATED TIME: 06:43:24

NARRATIVE

On Wednesday, April 15, 2020, at approximately 0800 hours, the Investigative Services Unit (ISU) was requested to respond to Facility 'C' via institutional radio. Upon arrival, I was apprised of a battery on an inmate with a weapon involving Inmate [REDACTED] as the Victim and Inmate [REDACTED] as the Suspect involved in the incident.

I was informed Inmate [REDACTED] had sustained injuries to his upper back area and had already been transported to the CSP-LAC C/D Medical Clinic area. I responded to C/D Medical Clinic and began taking a series of digital photographs (for evidentiary documentation purpose) depicting Inmate [REDACTED] and the affected areas described by [REDACTED] as a results of the incident.

The following depicts the photographic evidence obtained of Inmate [REDACTED] by frame:

- Frame #1: Overall view of Inmate [REDACTED] upper back area, with a bloodstain on right shoulder blade area.
- Frame #2: Overall view of Inmate [REDACTED] right shoulder blade, showing a small laceration wound, while medical staff attending to his wounds.
- Frame #3: Close-up frontal view of the laceration wound.
- Frame #4: Close-up view of the laceration wound.
- Frame #5: Over-all view of Inmate [REDACTED]
- Frame #6: Close-up view of Inmate [REDACTED] back hands.
- Frame #7: Close-up view of Inmate [REDACTED] front hands.

Upon completion of the photographic evidence collection process of Inmate [REDACTED] in the C/D Medical Clinic, I responded to Facility 'C' to photograph Inmate [REDACTED]. Upon approaching Housing Unit #1 where Inmate [REDACTED] was located, I informed Inmate [REDACTED] that I was going take a series of digital photographs for evidentiary purposes. Inmate [REDACTED] complied with my orders and remained standing, while Responding Officers maintained custody of him.

The following depicts the photographic evidence obtained of Inmate [REDACTED] by frame:

- Frame #1: Over-all view of Inmate [REDACTED]
- Frame #2: Close-up view of Inmate [REDACTED] right backhand.
- Frame #3: Close-up view of Inmate [REDACTED] left backhand.
- Frame #4: Close-up view of Inmate [REDACTED] right hand.
- Frame #5: Close-up view of Inmate [REDACTED] left hand.

Upon completion of the photographic evidence collection process of Inmate [REDACTED], I photographed Inmate [REDACTED] cell. Upon arrival to his Inmate [REDACTED] solely assigned cell, I observed all of Inmate [REDACTED] property was already packed. Based off my training and experience as an ISU Officer, Inmate [REDACTED] battery on Inmate [REDACTED] with the weapon was premeditated and his overall object was to be relocated to another facility or institution based on the fact all his personal property was packed and ready to be inventoried.

At approximately 1200 hours, I retrieved two evidence bags from C/D Evidence Room Locker #2 and Locker #7. I returned to the ISU Office and began to processing the evidence. I photographed one (1) Inmate Manufacture weapon, which measured approximately eight (8") inches in length, made from a black in color flat metal stock. The weapon was sharpened to a point in one end and a handle made out of a white cloth and clear tape wrapped around in the other end forming a handle.

I then processed one (1) gray long sleeve shirt collected from the victim, which contained a bloodstain on the upper back area. The shirt also contained two small puncture holes within the same area. I then photographed one (1) white shirt, which also had a bloodstain on the upper back area.

Upon completion of the photographic evidence collection process, I secured the evidence into ISU Main Evidence Locker #1 without further incident.

This concludes my involvement in this incident.

E. Solano

DATE: 04/16/2020

STAFF SIGNATURE

BADGE #: 83260

PERNR: 88434

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Varela, J [REDACTED]

REVIEWED DATE: 04/16/2020

REVIEWED TIME: 07:46:49

EXHIBIT B

